

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Aurora Thessaly Adams,

Case No. 21-cv-1913 (NEB/DTS)

Plaintiff,

v.

**REPORT AND RECOMMENDATION**

City of Brooklyn Center, et al.,

Defendants.

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Plaintiff brought this action on August 24, 2021 against City of Brooklyn Center and five unnamed officers (Officers John Doe #1 - #5). On June 9, 2022 Plaintiff and named Defendant City of Brooklyn Center filed a Stipulation of Dismissal (Dkt. No. 24) and District Judge Nancy Brasel dismissed the City of Brooklyn Center. There is no indication on the record that the unnamed officers were served. Accordingly, this Court now recommends that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. *See Henderson v. Renaissance Grand Hotel*, 267 Fed. App'x 496, 497 (8th Cir. 2008) (per curiam) ("A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff's failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.").

**RECOMMENDATION**

For the reasons set forth above, the Court RECOMMENDS THAT this matter be DISMISSED WITHOUT PREJUDICE for failure to prosecute.

Dated: March 6, 2023

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s/David T. Schultz  
DAVID T. SCHULTZ  
U.S. Magistrate Judge

## NOTICE

**Filing Objections:** This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set for in LR 72.2(c).